
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

ROYAL EVERETT SILAS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**MEMORANDUM DECISION AND
ORDER DENYING APPLICATION
FOR CERTIFICATE OF
APPEALABILITY**

Case No. 2:18-cv-00279-DN

District Judge David Nuffer

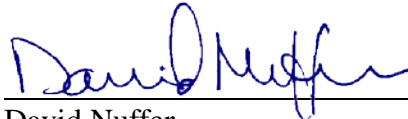
Petitioner Royal Everett Silas filed a notice of appeal.¹ In connection with that appeal, the U.S. Court of Appeals for the Tenth Circuit recently directed a limited remand for this court to consider whether to issue a certificate of appealability under [28 U.S.C. § 2253\(c\)\(1\)](#).²

“A certificate of appealability may issue under [§ 2253(c)(1)] only if the applicant has made a substantial showing of the denial of a constitutional right.”³ Silas has made no such showing in this case.

THEREFORE, IT IS HEREBY ORDERED, that the application for a certificate of appealability is DENIED.

Signed February 7, 2019.

BY THE COURT:



David Nuffer

United States District Judge

¹ Notice of Intent to Appeal Pursuant to Rule 4(A)(1) of the Federal Rules of Appellate Procedure, [docket no. 7](#), filed January 10, 2019.

² Order, [docket no. 13](#), filed January 30, 2019.

³ [28 U.S.C. § 2253\(c\)\(1\)\(2\)](#).